

REMARKS

Claims 1-11 are pending in the present application. In the Office Action, claims 1-11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Malinen, et al. (U.S. Patent Application Publication No. 2005/0078824) in view of the Quick publication. The Examiner's rejections are respectfully traversed.

A finding of obviousness under 35 U.S.C. § 103 requires a determination of the scope and content of the prior art, the level of ordinary skill in the art, the differences between the claimed subject matter and the prior art, and whether the differences are such that the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made. *Graham v. John Deere Co.*, 148 USPQ 459 (U.S. S.Ct. 1966). To determine whether the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made, one should determine whether the prior art reference (or references when combined) teach or suggest all the claim limitations. Furthermore, it is necessary for the Examiner to identify the reason why a person of ordinary skill in the art would have combined the prior art references in the manner set forth in the claims.

Conventional cellular communication devices include an access terminal (which may also be referred to as a handset or a mobile shell) and a user identity module that may be inserted into the access terminal. In order to authenticate the user of the cellular communication device, a network should be able to separately authenticate the user identity module and the access terminal. At least in part to address this need, claim 1 sets forth a method of authenticating a user identity module implemented in an access terminal. One embodiment of the claimed method sets forth receiving, at the access terminal and over an air interface, a first challenge associated with a first authentication process. A second challenge is derived at the access

terminal. The second challenge is associated with a second authentication process based on at least a portion of the first challenge. The user identity module performs the second authentication process using the derived second challenge and produces at least one authentication parameter. The access terminal then derives a key associated with the first authentication process based on the at least one authentication parameter. The pending claims therefore set forth a technique for mutually authenticating a user identity module and an access terminal that includes the user identity module.

Malinen describes techniques for authenticating mobile devices to a network via an access controller. For example, an access controller can authenticate a mobile device by transmitting an EAP/Request/AKA/Challenge over the air interface to the terminal or mobile device. The terminal can then use information in this message to determine the value of an AUTN, which is transmitted back to the network for authentication. See Malinen, paragraphs [0076-0080]. The Quick publication describes particular technique for deriving message encryption keys. However, neither of these references describes or suggests any technique that is used to mutually authenticate a user identity module and an access terminal that includes the user identity module. To the contrary, both of these references treat the terminal or mobile device as a single entity and not as an entity composed of different parts that both need to be authenticated.

For at least the aforementioned reasons, Applicants respectfully submit that the cited references fail to teach or suggest all the limitations set forth in the pending claims. Applicants further submit that neither the cited reference nor the Examiner has provided a reason why person ordinary skill in the art would have been motivated to modify the authentication techniques described in the cited references to include independent authentication of a user identity module and an access terminal. For at least the aforementioned reasons, Applicants

respectfully submit that the pending claims would not have been obvious over the prior art of record and request that the Examiner's rejections of claims 1-11 under 35 U.S.C. § 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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/Mark W. Sincell/

Mark W. Sincell, Ph.D.

Reg. No. 52,226

Williams Morgan & Amerson, P.C.

10333 Richmond Avenue, Suite 1100

Houston, TX 77042

(713) 934-7000

(713) 934-7011 (Fax)

AGENT FOR APPLICANTS